

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI

NORMAN KUHL
404 SE 7TH Street Apt A
Oak Grove, MO 64075

And

ANDRA KUHL
404 SE 7TH Street Apt A
Oak Grove, MO 64075

Plaintiffs,

vs.

TIMOTHY D. DANIELS
614 Saratoga Place
Lawrence, KS 66046

And

TCS LEASING, INC
P.O. Box 12608
Ft. Wayne, IN 46864
Please Serve REGISTERED AGENT:
CT Corporation System
906 Olive Street
St. Louis, MO 63101

Defendants.

CASE NO.
DIVISION

PETITION FOR DAMAGES

Facts common to All Counts

COMES NOW Plaintiffs Norman Kuhl and Andra Kuhl by and through their attorneys and for their causes of actions state:

1. Plaintiff Norman Kuhl is, and at all relevant times was, a citizen of the State of Missouri residing at 404 SE 7th Street, Apartment A, Oak Grove, Jackson County, Missouri 64055.



2. Plaintiff Andra Kuhl is, and at all relevant times was, a citizen of the State of Missouri residing at 404 SE 7th Street, Apartment A, Oak Grove, Jackson County, Missouri 64055.
3. Defendant Timothy D. Daniels is a citizen of Kansas, residing at 614 Saratoga Place, Lawrence, Douglas County, KS 66046. At all times relevant to this action, Defendant Daniels was an employee acting in the course and scope of his employment with Defendant TCS Leasing, Inc.
4. Defendant TCS Leasing, Inc. is an Oklahoma corporation licensed to do business in the State of Missouri. Service made be had on this defendant by serving its registered agent, CT Corporation System.
5. On or about January 27, 2012, Norman Kuhl was operating a motor vehicle and was stopped in traffic on the exit ramp from southbound I-435 to Missouri Highway 210 in Kansas City, Clay County, Missouri. At the same time Defendant Daniels was driving a tractor-trailer owned by Triple Crown Services, now known as TCS Leasing, Inc., in the course and scope of his employment. Defendant Daniels proceeded down the same exit ramp that Plaintiff Norman Kuhl was on and violently collided with the rear of the vehicle driven by Plaintiff Norman Kuhl.
6. Defendant Timothy D. Daniels was careless and negligent when he allowed his vehicle to collide with the vehicle driven by plaintiff Norman Kuhl in the following respects:
 - A. Defendant Daniels drove his vehicle at an excessive rate of speed;
 - B. Defendant Daniels was inattentive;
 - C. Defendant Daniels failed to stop, swerve or take evasive action to avoid a collision with Plaintiff Norman Kuhl's vehicle;
 - D. Defendant failed to keep a careful look out for other vehicles, and particularly for the vehicle driven by Plaintiff Norman Kuhl: and

E. Defendant Daniels failed to exercise the highest degree of care while operating a motor vehicle.

COUNT I

COMES NOW Plaintiff Norman Kuhl and for his cause of action against defendants alleges and states:

7. Plaintiff Norman Kuhl adopts and incorporates by reference herein paragraphs 1-6 of plaintiffs' Petition as set forth above.

8. As a direct and proximate result of the negligence of the Defendant Timothy Daniels, Plaintiff Norman Kuhl sustained severe, lasting and permanent injuries; he has suffered and will in the future suffer great bodily pain, shock, loss of sleep and rest, mental worry, embarrassment, anguish and nervousness; he has incurred and will in the future incur hospital and medical expenses for the treatment and care of his injuries; he has been caused to suffer from post-traumatic stress disorder; his ability to work and labor has been impaired; and he has suffered and will in the future suffer a loss of income.

WHEREFORE, Plaintiff Norman Kuhl prays judgment against Defendants Timothy Daniels and TCS Leasing, Inc. and both of them in a sum that will adequately compensate him for the injuries and damages he has sustained and will in the future sustain, for his costs herein expended and for such further and other relief as the Court deems just under the circumstances of this case.

COUNT II

COMES NOW Plaintiff Andra Kuhl and for her cause of action against defendants alleges and states:

9. Plaintiff Andra Kuhl adopts and incorporates by reference herein paragraphs 1-8 of

plaintiffs' Petition as set forth above.

10. Plaintiff Andra Kuhl is and was at all times hereinafter mentioned the duly and lawfully wedded wife of Plaintiff Norman Kuhl; this plaintiff and her husband had resided together for many years as husband and wife prior to the injuries sustained by Plaintiff Norman Kuhl and continue to live together as husband and wife.
11. As a direct and proximate result of the injuries sustained by her husband as the result of the negligence of Defendant Daniels, Plaintiff Andra Kuhl been deprived of, and will in the future be deprived of, the services, companionship, society, aid and comfort of her husband, and has suffered a loss of consortium with her husband and every relationship existing between them has been materially impaired.

WHEREFORE, Plaintiff Andra Kuhl prays judgment against Defendants Timothy Daniels and TCS Leasing, Inc. and both of them in a sum that will adequately compensate her for the injuries and damages she has sustained and will in the future sustain, for her costs herein expended and for such further and other relief as the Court deems just under the circumstances of this case.

KANSAS CITY ACCIDENT INJURY ATTORNEYS


/s/ James M. Roswold
 James M. Roswold, MO Bar No. 41053
 Phillip B. Grubaugh, MO Bar No. 24919
 Victor B. Finkelstein, MO Bar No. 36123
 1150 Grand Avenue
 Suite 700A
 Kansas City, Missouri 64106
 (816) 471-5111
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 james@kcaccidentattorneys.com
 phillip@kcaccidentattorneys.com
 vic@kcaccidentattorneys.com
 ATTORNEYS FOR PLAINTIFF



IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Judge or Division: ELIZABETH DAVIS	Case Number: 17CY-CV00777	(Date File Stamp)
Plaintiff/Petitioner: NORMAN KUHL	Plaintiff's/Petitioner's Attorney/Address JAMES MICHAEL ROSWOLD 1150 GRAND AVE SUITE 700A KANSAS CITY, MO 64106	
Defendant/Respondent: TIMOTHY D DANIELS	Court Address: 11 S WATER LIBERTY, MO 64068	
Nature of Suit: CC Pers Injury-Vehicular		

Summons in Civil Case

The State of Missouri to: TIMOTHY D DANIELS Alias: 614 SARATOGA PLACE LAWRENCE, MO 66046 COURT SEAL OF  CLAY COUNTY		You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition. <div style="display: flex; justify-content: space-between;"> <div> <u>1/27/2017</u> Date </div> <div> <u>/s/ C. Thompson</u> Clerk </div> </div>
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Sheriff's or Server's Return Note to serving officer: Summons should be returned to the court within thirty days after the date of issue. I certify that I have served the above summons by: (check one) <input type="checkbox"/> delivering a copy of the summons and a copy of the petition to the Defendant/Respondent. <input type="checkbox"/> leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years. <input type="checkbox"/> (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title). <input type="checkbox"/> other _____ Served at _____ (address) in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time). <div style="display: flex; justify-content: space-between;"> <div> _____ Printed Name of Sheriff or Server </div> <div> _____ Signature of Sheriff or Server </div> </div>	
Must be sworn before a notary public if not served by an authorized officer: (Seal) Subscribed and sworn to before me on _____ (date). My commission expires: _____ Date _____ Notary Public _____	

Sheriff's Fees Summons \$ _____ Non Est \$ _____ Sheriff's Deputy Salary \$ 10.00 Supplemental Surcharge \$ _____ Mileage \$ _____ (_____ miles @ \$._____ per mile) Total \$ _____ A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.	
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IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Judge or Division: ELIZABETH DAVIS	Case Number: 17CY-CV00777	(Date File Stamp)
Plaintiff/Petitioner: NORMAN KUHL	Plaintiff's/Petitioner's Attorney/Address JAMES MICHAEL ROSWOLD 1150 GRAND AVE SUITE 700A KANSAS CITY, MO 64106	
Defendant/Respondent: TIMOTHY D DANIELS	Court Address: 11 S WATER LIBERTY, MO 64068	
Nature of Suit: CC Pers Injury-Vehicular		

Summons in Civil Case

The State of Missouri to: TCS LEASING, INC
Alias:
 RA: CT CORPORATION SYSTEM
 906 OLIVE STREET
 SAINT LOUIS, MO 63101

COURT SEAL OF

 CLAY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

1/27/2017
 Date

/s/ L. Hasapes
 Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

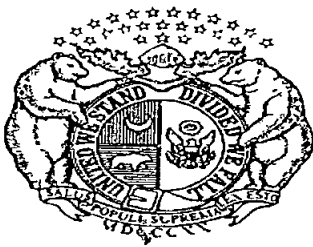
Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



VERNON BETTS
SHERIFF
CITY OF ST. LOUIS
CIVIL COURTS BUILDING
10 NORTH TUCKER BOULEVARD
ST. LOUIS, MISSOURI 63101
622-4851

Clay MO

Return of Service on Summons/Petition and Subpoena

Defendant ITS Leasing Inc

Doc. ID Number 17-SMCC-85

Address 906 Olive St Clay

Case Number 17CY-CV00777

Executed

☒ Summons / Petition

☐ Subpoena

I hereby certify that I served the within summons and petition by

☐ Subpoena How Served: _____

☐ Posting copy of Summons and copy of Petition, to dwelling listed on above address

☐ Delivering a copy of the summons and a copy of the petition, to the Defendant / Respondent

☐ How Served: _____

☐ Leaving a copy of the summons and a copy of the petition, at the dwelling place or usual abode of the Defendant/Respondent with a family member over the age of 15 years _____

☐ Non-Est Reason _____

☐ For service on a **Corporation/Partnership** by delivering a copy of the summons and a copy of the petition to

☐ An Agent and/or Appointed Agent _____ (name) _____ (title)

☐ A Partner _____ (name) _____ (title)

☐ A Managing or General Agent _____ (name) _____ (title)

☐ The person in charge of defendant's business office _____ (name) _____ (title)

☐ The Registered Agent _____ (name) _____ (title)

☒ Non-Est Reason Corp no longer at this address

☐ For service on **Limited Liability Company (LLC)** by delivering a copy of the summons and a copy of the petition to

☐ The Registered Agent _____ (name) _____ (title)

☐ An Authorized Person _____ (name) _____ (title)

☐ An Organizer _____ (name) _____ (title)

☐ Non-Est Reason _____

Served at 906 Olive (address)

in (City of St. Louis), MO, on 2/3/17 (date) at 12:53pm (time)

LYNN WEBBE
Print name of Sheriff or Server

Lynn Webb
Signature of Sheriff or Server

A copy of the summons and a copy of the petition, copy of subpoena must be served on each Defendant/Respondent For methods of service on all classes of suits, see Supreme Court Rule 54



IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI


12434

Judge or Division ELIZABETH DAVIS	Case Number. 17CY-CV00777	<div style="border: 1px solid black; padding: 5px;"> <div style="text-align: center;">L E</div> <div style="text-align: center;">FEB - 9 2017</div> <div style="display: flex; justify-content: space-between;"> <div>CLAY COUNTY CIRCUIT COURT</div> <div>TIME _____</div> </div> </div>
Plaintiff/Petitioner NORMAN KUHL	Plaintiff's/Petitioner's Attorney/Address JAMES MICHAEL ROSWOLD 1150 GRAND AVE SUITE 700A KANSAS CITY, MO 64106	
Defendant/Respondent TIMOTHY D DANIELS	Court Address 11 S WATER LIBERTY, MO 64068	
Nature of Suit CC Pers Injury-Vehicular		

(Date File Stamp)

Summons in Civil Case

The State of Missouri to. TCS LEASING, INC
Alias
RA CT CORPORATION SYSTEM
906 OLIVE STREET
SAINT LOUIS, MO 63101


COURT SEAL OF
CIRCUIT COURT OF MISSOURI
CLAY COUNTY

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1/27/2017
Date

/s/ L. Hasapes
Clerk

Further Information _____

Sheriff's or Server's Return

Note to serving officer Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by (check one)

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time)

Printed Name of Sheriff or Server _____

Signature of Sheriff or Server _____

Must be sworn before a notary public if not served by an authorized officer.

(Seal) Subscribed and sworn to before me on _____ (date)

My commission expires _____ Date _____ Notary Public _____

Sheriff's Fees	
Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

RECEIVED
17 FEB - 1 PM 11:20
VENUE DEPUTY SHERIFF

VERNON BETTS

SHERIFF

CITY OF ST LOUIS

CIVIL COURTS BUILDING

10 NORTH TUCKER BOULEVARD

ST LOUIS, MISSOURI 63101

ST LOUIS

MO 6301

07 FEB '17

PM 5 4

3
Miss County Circuit Clerk
11 South Market St
St. Louis, MO 64068



PITNEY BOWES

\$ 00.67⁰⁰

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MAILED FROM ZIP CODE 63103

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